

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

STEVEN JALOZA and SALVATORE  
FRADELLA,

Plaintiffs,

V.

JOSEPH NEWMAN, et al.,

Defendants.

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) Case No. 1:07-cv-773-DFH-JMS

## ORDER OF REMAND

Plaintiffs have moved to remand this action to state court because the removal relied upon the court's diversity jurisdiction, and at least two of the removing defendants are citizens of Indiana. Citizens of the forum state may not remove based on diversity jurisdiction. See 28 U.S.C. § 1441(b). Counsel for defendants have advised the court staff they do not intend to respond to the motion. Accordingly, the motion to remand is hereby GRANTED, and this action is hereby REMANDED to the Marion Circuit Court.

So ordered.

Date: June 20, 2007

David F Hamilton

DAVID F. HAMILTON, JUDGE  
United States District Court  
Southern District of Indiana

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